

EXHIBIT 45

KEVIN WARREN Confidential
IN RE COLLEGE ATHLETE NIL LIT

October 12, 2023

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1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 OAKLAND DIVISION
4

5 IN RE COLLEGE ATHLETE NIL) Case No.
6 LITIGATION) 4:20-CV-03919-CW
7

8 NETWORK STRICTLY CONFIDENTIAL
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10 The videotaped deposition of KEVIN
11 WARREN, called as a witness for examination, taken
12 pursuant to the Federal Rules of Civil Procedure of
13 the United States District Courts pertaining to the
14 taking of depositions, taken before VICTORIA C.
15 CHRISTIANSEN, a Certified Shorthand Reporter of the
16 State of Illinois, CSR No. 84-3192, at Halas Hall,
17 1920 Football Drive, Lake Forest, Illinois, on the
18 12th day of October, A.D. 2023, at 9:09 a.m.
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1 Q. Okay. Was it good for the Big Ten
2 during the time you were commissioner?

3 A. It was good for our student-athletes,
4 yes.

5 Q. Okay. It was also beneficial for the
6 schools?

7 MS. MILLER: Objection, form, foundation.

8 BY THE WITNESS:

9 A. Yes.

10 BY MR. KESSLER:

11 Q. Do you agree that the NIL opportunities
12 that were made available for athletes didn't lead
13 to any reduction in fan interest in college sports?

14 MS. MILLER: Objection, form, foundation,
15 calls for speculation.

16 BY THE WITNESS:

17 A. I would say it -- it has not reduced fan
18 interest, yes. So to answer your question, yes.

19 BY MR. KESSLER:

20 Q. Do you agree that the availability of
21 NIL opportunities for college athletes did not
22 cause any economic damage to any of the Big Ten
23 athletic departments?

24 MS. MILLER: Objection, form, foundation,

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1 Q. Yeah, okay. Do you agree that
2 television ratings were not adversely affected
3 during the time you were commissioner by the
4 introduction of NIL opportunities for the athletes?

5 MS. MILLER: Objection, form, foundation,
6 calls for speculation.

7 BY THE WITNESS:

8 A. Yes, that's correct.

9 BY MR. KESSLER:

10 Q. Is it correct that after NIL
11 opportunities were made available in July of 2021,
12 it was subsequent to that that you negotiated the
13 largest media deals in the history of the Big Ten?

14 A. Yes.

15 Q. Is it correct that no one from any of
16 the broadcast networks told you that they had any
17 objection to the athletes having NIL opportunities?

18 MS. MILLER: Objection, form, foundation.

19 BY THE WITNESS:

20 A. To the best of my recollection, yes.

21 BY MR. KESSLER:

22 Q. All right. And it's also correct --
23 okay. That's -- that's fine.

24 Let me show you Tab 32 next.

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REPORTER'S CERTIFICATE

I, VICTORIA C. CHRISTIANSEN, a Certified Shorthand Reporter of the State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing deposition transcript was reported stenographically by me, was thereafter reduced to typewriting under my personal direction and constitutes a true record of the testimony given and the proceedings had;

That the said deposition was taken before me at the time and place specified;

That I am not a relative or employee or attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

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1 The witness has requested a review
2 pursuant to Rule 30(e)(1).
3

4 IN WITNESS WHEREOF, I do hereunto set my
5 hand at Chicago, Illinois, this 15th day of
6 October, 2023.

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8 VICTORIA C. CHRISTIANSEN,
9 Certified Shorthand Reporter.

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12 C.S.R. Certificate No. 84-3192.
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